AMENDED IN ASSEMBLY MAY 26, 2006 AMENDED IN ASSEMBLY MAY 15, 2006 AMENDED IN ASSEMBLY MAY 3, 2006 AMENDED IN ASSEMBLY APRIL 19, 2006

CALIFORNIA LEGISLATURE—2005-06 REGULAR SESSION

ASSEMBLY BILL

No. 2448

Introduced by Assembly Member Hancock (Principal coauthor: Assembly Member Wyland)

February 23, 2006

An act to amend Sections 46160, 52302.3, 52302.5, 52303, 52314, 52314.5, and 52315 of, to amend and repeal Section 52302.7 of, to add Sections 52302.2, 52302.8, 52334.5, and 52335.12 to, to repeal Sections 52314.6, 52314.7, 52325, 52326, 52335.7, 52335.8, 52335.9, and 52335.10 of, and to repeal and add Section 52302 of, the Education Code, relating to regional occupational centers and programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 2448, as amended, Hancock. Regional occupational centers and programs: administration.

(1) Existing law permits the governing board of a school district that maintains a junior high or high school to schedule classes so that each pupil attends classes for at least 1,200 minutes during any 5-schoolday period. Existing law permits a pupil to be authorized to attend school for less than the total number of days in which the school is in session per week as long as the pupil attends the required number of minutes per 5-schoolday period.

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This bill also would permit a school to schedule classes so that each pupil attends 2,400 minutes during any 10-schoolday period and permits a pupil to attend school fewer days per week to accommodate career technical education and regional occupational center and program courses and block or other alternative school class schedules as long as the pupil attends the required minutes per 10-schoolday period.

(2) Existing law authorizes the county superintendent of schools of each county, with the consent of the state board, to establish and maintain at least one regional occupational center, or regional occupational program, in the county to provide education and training in career technical courses.

Existing law requires the county superintendent of schools or school districts sponsoring the regional occupational center or program to conduct a job market study in the labor market area in which it proposes to establish the center or program to ensure that the anticipated employment demand for trainees justifies the establishment of the proposed courses of instruction.

This bill, instead, would require the governing board of each regional occupational center or program, on or before July 1, 2010, to ensure that at least 90% of all state-funded courses offered by the center or program are part of occupational course sequences that target high-skill occupations that are in-demand in the region, as specified. The bill would make compliance with this and related requirements a condition of receiving funds provided under the federal Carl D. Perkins Vocational and Applied Technology Education Act of 1998. The bill would require the State Department of Education, with the assistance of the Office of the Chancellor of the California Community Colleges to meet with each program or center in the region during the 2009–10 fiscal year to verify the required course sequences have been developed, to provide specified assistance, and to waive certain requirements as specified.

(3) Existing law includes providing individual counseling and guidance in career technical matters, providing a curriculum that includes skill training in occupational fields having current and future needs for the training, and providing an opportunity for pupils to acquire entry level career technical skills that may lead to a combination work-study schedule as some of the purposes of a regional occupational center or program.

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This bill would require the governing board of each regional occupational center or program to establish and maintain an employer advisory board for each occupational area in which the center or program offers course sequences, as specified.

(4) Existing law requires every career technical course or program offered by a school district or county superintendent sponsoring a regional occupational center or program to be reviewed every 2 years, as specified, and requires any course or program that does not meet the requirements and specified standards to be terminated within one year.

This bill would delete the requirement that the review process include review and comments by a specified local private industry council and delete the limitation that the review only apply to courses or programs that began subsequent to the effective date of the provisions.

The bill would require the department to conduct monitoring reviews of each regional occupational center or program at least once every 4 years, within existing resources, as specified.

(5) Existing law requires a regional occupational center or program to do specified things, including provide skill training.

This bill would revise the requirements to include a sequence of academic and skill instruction leading to an employer-endorsed skill certificate and vocational degree or certificate programs at a community college.

(6) Existing law authorizes a regional occupational center to provide, on an individual referral basis, academic and personal development instruction for adult students enrolled in a career technical education course conducted by the regional occupational center when it is determined that it is essential for this instruction to be given to ensure the employability of the adult student.

This bill would phase out funding for services provided to adult students by regional occupational centers or programs make that provision inoperative on June 30, 2010, and repeal it as of January 1, 2011.

(7) Existing law limits attendance at a regional occupational center or program to pupils who are 16 years of age or older, with certain exceptions.

This bill would revise the specified exceptions to include pupils who are less than 16 years of age and are referred to the center or program as part of a comprehensive high school plan that has been approved by

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a school counselor or school administrator and the pupils' parents or guardians and who have individualized education programs that prescribe occupational training for which their enrollment in a regional occupational center or program is deemed appropriate. The bill would also allow the attendance of a pupil who is enrolled in grade 10 and has an approved comprehensive high school plan and whose admission will not result in the denial of admission or displacement of pupils in grades 11 and 12 that would otherwise participate in the regional occupational center or program. The bill also would prohibit adult students from enrolling in regional occupational center or program courses during the schoolday on a high school campus unless specifically authorized by the policy of the governing board of the school district.

(8) Existing law requires the average daily attendance claimed for pupils admitted to a regional occupational center or program is calculated in specified ways.

This bill would remove specified provisions related to average daily attendance calculations. The bill also would eliminate the provision specifying that a minimum day in a regional occupational center is 180 minutes and that a minimum day in a regional occupational program is 60 minutes. This bill would also repeal various obsolete provisions of law governing the calculation of the average daily attendance generated by a regional occupational center or program in prior years.

The bill would require a regional occupational center or program to report annually to the department the academic progress of its secondary pupils, as specified, in order to receive specified, additional average daily attendance and conditions the operation of the provision on the ability to disaggregate relevant data from the California longitudinal pupil achievement data system database.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 46160 of the Education Code is 2 amended to read:
- 3 46160. Notwithstanding any other provision of law, the
- 4 governing board of a school district that maintains a junior high
- 5 school or high school may schedule classes in these schools so

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that each pupil attends classes for at least 1,200 minutes during any five-schoolday period or 2,400 minutes during any 10-schoolday period.

Under that kind of schedule, any pupil may be authorized to attend school for less than the total number of days in which the school is in session as long as the pupil attends the required number of minutes per five-schoolday period or per 10-schoolday period to accommodate career technical education and regional occupational center and program courses and block or other alternative school class schedules.

Computations authorized by this section shall not result in an increase in state apportionments to a school district.

- SEC. 2. Section 52302 of the Education Code is repealed.
- SEC. 3. Section 52302 is added to the Education Code, to read:
- 52302. (a) On or before July 1, 2010, the governing board of each regional occupational center or program shall ensure that at least 90 percent of all state-funded courses offered by the center or program are part of occupational course sequences that target high-skill occupations that are in demand in the region. Each occupational sequence shall do all of the following:
- (1) Result in an occupational skill certificate that has been approved by the employer advisory board created pursuant to Section 52302.2.
- (2) Provide prerequisite courses that are needed to enter vocational certificate or degree programs offered by the community college serving the same region in those occupational areas in which both the program or center and the community college offer instruction.
- (3) Focus on high-skill occupations that offer high entry-level wages or the possibility of significant wage increases after a few years on the job, or both.
- (4) Offer as many courses as possible that have been approved by the University of California as courses meeting the "A-G" admissions requirements.
- (b) On or before July 1, 2007, the governing board of each regional occupational center or program shall approve a plan for transforming its courses into sequences of courses, as required in subdivision (a). In developing the plan, each regional occupational program or center shall consult with school districts

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and community college districts located within the region served by the program or center, and with the relevant local workforce investment board to ensure that the plan does all of the following:

- (1) Meets the vocational education needs of high school pupils in the region.
- (2) Creates sequences of courses that begin with middle or high school introductory courses, including occupational skill courses provided by high schools or regional occupational programs or centers, and focus on high-skill occupations that offer high entry-level wages or the possibility of significant wage increases after a few years on the job, or both, or culminate in community college certificate or degree programs.
- (3) Avoids duplication of vocational course offerings among high schools, regional occupational centers or programs, and community colleges.
- (4) Maximizes the use of local, state, and federal resources in helping high school pupils enter high-skill occupations or continued education in college, or both, after graduating from high school.
- (c) Prior to approving the plan, the board of the regional occupational center or program shall seek approval of the plan from all school districts serving grades 9 to 12, inclusive, within the region served by the regional occupational center or program. If fewer than 60 percent of the districts in the region serving high school pupils approve the plan, the regional occupational center or program shall revise the plan and resubmit it to the districts for approval.
- (d) As a condition of receiving federal funds provided under the Carl D. Perkins Vocational and Applied Technology Education Act of 1998 (20 U.S.C. Sec. 2301 et seq.), or any successor, school districts, regional occupational centers or programs, and community college districts shall do all of the following:
- (1) Develop course sequences that meet the requirements of this section according to the schedule set forth in this paragraph. Failure to implement sequences according to this schedule shall make the school district, regional occupational center or program, and community college district ineligible to earn federal vocational education funds until the status of implementation meets the requirements of this subdivision.

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(A) On or before January 1, 2008, school districts, regional occupational centers or programs, and community college districts shall have adopted an approved plan as required under this section.

- (B) On or before July 1, 2008, school districts, regional occupational centers or programs, and community college districts shall have established course sequences as required under this section that include at least one-third of the courses offered by the regional occupational center or program in occupational areas in which both the program or center and the community college offer instruction.
- (C) On or before July 1, 2009, school districts, regional occupational centers or programs, and community college districts shall have established course sequences as required under this section that include at least two-thirds of the courses offered by the regional occupational center or program in occupational areas in which both the program or center and the community college offer instruction.
- (2) Provide pupils who are participating in vocational sequences with information and experiences designed to increase their postgraduation work and school options. This information and experiences shall include, but is not limited to, all of the following:
- (A) Information about the admissions requirements of the University of California and California State University.
- (B) Information about the placement requirements of the local community college or colleges.
- (C) Information about higher education options that would allow pupils to continue study in the occupational area that is the focus of the vocational sequence.
- (D) Visits to local colleges and universities that offer programs that allow pupils to gain additional skills and degrees in the occupational area that is the focus of the vocational sequence.
- (E) Information and referrals to employers in the region that hire persons with the occupational skills that are the focus of the vocational sequence, including, but not limited to, internships, summer employment opportunities, and employment opportunities for pupils after graduation from high school.

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(e) (1) The department shall, with the assistance of the Office of the Chancellor of the California Community Colleges, meet with each program or center and the community college or colleges in the region during the 2009–10 fiscal year to verify that course sequences meeting the requirements of this section have been developed.

- (2) The department and the Office of the Chancellor shall provide technical assistance to programs or centers and community colleges that have developed articulated sequences for less than half of the courses offered by the program or center.
- (3) The Superintendent may waive the requirements of paragraph (2) of subdivision (b) and subdivision (d) for programs or centers and community colleges located in rural areas of the state if the Superintendent finds that development of sequences is infeasible because of the distance, travel time or safety between the center or program and the community college.
- SEC. 4. Section 52302.2 is added to the Education Code, to read:
- 52302.2. (a) The governing board of each regional occupational center or program shall establish and maintain an employer advisory board for each occupational area in which the center or program offers course sequences. The advisory board shall do all of the following:
- (1) Approve skill certificates that identify the skills and knowledge that pupils completing an occupational course sequence are expected to acquire upon completing the sequence. The advisory board also shall approve the measures and criteria that are proposed to be used to evaluate whether pupils actually acquired the identified skills and knowledge.
- (2) Review at least once a year whether pupils who are assessed as having met the requirements for a skill certificate possess the skills needed for success in employment in that occupation.
- (3) Certify that the specific occupational sequences offered by the regional occupational center or program train pupils for jobs that are in demand in the region and offer high beginning salaries or the potential for significant wage increase after several years on the job.
- 39 (4) Assist the regional occupational center or program in 40 developing internships, paid summer employment, and

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post-graduation employment opportunities for pupils participating in the course sequences.

- (5) Assist the regional occupational center or program in creating college scholarships for pupils participating in the course sequences.
- (b) Employer advisory boards shall be composed of at least five representatives of businesses or government agencies that hire a significant number of employees each year and require the skills and knowledge that are taught in the course sequence or sequences in that occupational area. The department shall develop regulations guiding the establishment of these boards.
- (c) Regional occupational centers or programs operated either in a rural county of the sixth or seventh class with school districts that generate a combined average daily attendance of under 13,000 or in a county that has only one school district that generates an average daily attendance of under 13,000, may designate a local business or industry organization as the advisory board and consult with the leadership of the local business or industry organization to determine skill needs in the region and emerging job market needs. For purposes of this section, the local business organization may be designated as the advisory board for the regional occupational center or program.
- SEC. 5. Section 52302.3 of the Education Code is amended to read:
- 52302.3. (a) Every career technical course or program offered by a school district or districts or county superintendent or superintendents sponsoring a regional occupational center or program shall be reviewed every two years by the appropriate governing body to assure that each course or program does all of the following:
 - (1) Meets a documented labor market demand.
- (2) Does not represent unnecessary duplication of other manpower training programs in the area.
- (3) Is of demonstrated effectiveness as measured by the employment and completion success of its pupils.
- (b) Any course or program that does not meet the requirements of subdivision (a) and the standards promulgated by the governing body shall be terminated within one year.
- SEC. 6. Section 52302.5 of the Education Code is amended to read:

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52302.5. A regional occupational center or regional occupational program shall do all of the following:

- (a) Provide individual counseling and guidance in career technical matters.
- (b) Provide a curriculum that includes a sequence of academic and skill instruction in specific occupational fields leading to an employer-endorsed skill certificate and vocational degree or certificate programs at a community college pursuant to paragraph (2) of subdivision (b) of Section 52302, or provide an opportunity for pupils to acquire entry-level career technical skills.
- (c) Maintain a pupil-teacher ratio which will enable pupils to achieve optimum benefits from the instructional program.
- (d) Assign the highest priority in services to youth from the age of 16 to 18 years, inclusive.
- SEC. 7. Section 52302.7 of the Education Code is amended to read:
- 52302.7. (a) A regional occupational center may provide, on an individual referral basis, academic and personal development instruction for adult students enrolled in a career technical education course conducted by the regional occupational center when it is determined that it is essential for this instruction to be given to ensure the employability of the adult student.
- (b) This section shall become inoperative on June 30, 2007 2010, and, as of January 1, 2008 2011, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2008 2011, deletes or extends the dates on which it becomes inoperative and is repealed.
- SEC. 8. Section 52302.8 is added to the Education Code, to read:
- 52302.8. (a) The Legislature hereby finds and declares that vocational training resources that are provided through regional occupational centers and programs are an essential component of the state's secondary school system and the local system of providing occupational skills training to high school pupils. For this reason, the Legislature finds and declares that these resources should be focused primarily on the needs of pupils enrolled in high school.
- (b) On or before July 1, 2008, a regional occupational center 40 or program may claim no more than 50 percent of the

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state-funded average daily attendance for which the center or program is eligible, for services provided to students who are not enrolled in grades 9 to 12, inclusive.

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- (c) On or before July 1, 2009, a regional occupational center or program may claim no more than 30 percent of the state-funded average daily attendance for which the center or program is eligible, for services provided to students who are not enrolled in grades 9 to 12, inclusive.
- (d) On or before July 1, 2010, a regional occupational center or program may claim no more than 10 percent of the state-funded average daily attendance for which the center or program is eligible, for services provided to students who are not enrolled in grades 9 to 12, inclusive.
- (e) Notwithstanding subdivisions (b), (c), and (d), a regional occupational center or program that claims more than 40 percent of its students are not enrolled in grades 9 to 12, inclusive, on January 1, 2007, shall submit a letter to the Superintendent by July 1 of each year until it complies with subdivision, outlining the goals of the regional occupational center or program to reduce the number of adult students in order to comply with subdivision (d) on or before July 1, 2013.
- (f) Regional occupational centers and programs operated either in a rural county of the sixth or seventh class with school districts that generate a combined average daily attendance of under 13,000 or in a county that has only one school district that generates an average daily attendance of under 13,000, may exceed the number of adults by an additional 10 percent of the limits established in subdivisions (a), (b), and (c).
- (g) For purposes of this calculation, adult average daily attendance attributable to CalWORKs and funded from a specific appropriation in the annual Budget Act for this purpose, and continuously enrolled grade 12 pupils who have not passed the high school exit examination pursuant to Section 60851 are excluded from the calculation under this section. Any and all amounts that may become available from any reductions resulting from the enactment of this section shall be redirected to other regional occupational centers or programs to serve additional secondary pupils.
- 39 SEC. 9. Section 52303 of the Education Code is amended to 40 read:

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52303. "Regional occupational program," as used in this chapter, means a sequence of career technical or technical training programs that meet the criteria and standards of instructional programs in regional occupational centers and are conducted in a variety of physical facilities that are not necessarily situated in one single plant or site.

SEC. 10. Section 52314 of the Education Code is amended to read:

52314. (a) (1) Except as provided in subdivision (b), any pupil eligible to attend a high school or adult school in a school district subject to the jurisdiction of a county superintendent of schools operating a regional occupational center or regional occupational program, and who resides in a school district which by itself or in cooperation with other school districts, has not established a regional occupational center, or regional occupational program, is eligible to attend a regional occupational center or regional occupational program maintained by the county superintendent of schools. Any school district which in cooperation with other school districts maintains a regional occupational center, or regional occupational program, or any cooperating school districts may admit to the center, or program, any pupil, otherwise eligible, who resides in the district or in any of the cooperating districts. Any school district which by itself maintains a regional occupational center, or regional occupational program, may admit to the center, or program, any pupil, otherwise eligible, who resides in the district. No pupil, including adults under Section 52610 shall be admitted to a regional occupational center, or regional occupational program, unless the county superintendent of schools or governing board of the district or districts maintaining the center, or program, as the case may be, determines that the pupil will benefit therefrom and approves of his or her admission to the regional occupational center or regional occupational program.

- (2) Adult students shall not be enrolled in regional occupational center or program courses during the schoolday on a high school campus unless specifically authorized by the policy of the governing board of the school district.
- (3) A pupil may be admitted on a full-time or part-time basis, as determined by the county superintendent of schools or

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governing board of the school district or districts maintaining the center, or program, as the case may be.

- (b) A pupil is not eligible to be admitted to a regional occupational center or program, and his or her attendance shall not be credited to a regional occupational center or program, until he or she has attained the age of 16 years, unless the pupil meets one or more of the following conditions:
 - (1) The pupil is enrolled in grade 11 or a higher grade.
- (2) The pupil received a referral and all of the following conditions are met:
- (A) The pupil is referred to a regional occupational center or program as part of a comprehensive high school plan that has been approved by a school counselor or school administrator and the pupil's parents or guardian.
- (B) The pupil's comprehensive high school plan requires referral to a regional occupational center or program as part of a sequence of vocational courses that allows the pupil to learn a high-skill occupation that culminates in earning a community college vocational certificate or diploma or its equivalent.
- (C) The pupil is enrolled in a school that maintains any of grades 9 to 12, inclusive.
- (D) The individualized education program of a pupil adopted pursuant to the requirements of Chapter 4 (commencing with Section 56300) of Part 30 prescribes occupational training for which his or her enrollment in a regional occupational center or program is deemed appropriate.
- (3) The pupil is enrolled in grade 10 and has a comprehensive high school plan that has been approved by a school counselor and the parent or legal guardian of the pupil, and the admission of that pupil will not result in the denial of admission or displacement of pupils in grades 11 and 12 that would otherwise participate in the regional occupational center or program.
- (c) (1) Each school district, county superintendent of schools, or joint powers agency that maintains a regional occupational center or regional occupational program shall submit to the department, at the time and in the manner prescribed by the Superintendent, the enrollment and average daily attendance for each grade level and the enrollment and average daily attendance for each exemption set forth in subdivision (b).

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(2) The department shall submit this information to the education and budget committees of the Legislature, the Legislative Analyst's Office, and the Director of Finance by April 1 of each year for the preceding school year.

- SEC. 11. Section 52314.5 of the Education Code is amended to read:
- 52314.5. A regional occupational center or program established and maintained by a county superintendent of schools, school districts, or joint power agencies pursuant to Section 52301 shall admit youths between the ages of 15 to 18 years who are eligible to attend a high school in a school district, but who have not been enrolled on a full-time or part-time basis for a period of more than three months during the regular school year, if all of the following apply:
- (a) The center or program, in conjunction with the appropriate school district, develops a comprehensive high school plan that describes the academic and vocational instruction that will be provided to the pupil.
- (b) The pupil's parents or guardian approves the comprehensive plan in writing.
- (c) The pupil enrolls in the appropriate adult school or high school courses that are needed to satisfy the comprehensive high school plan.
 - SEC. 12. Section 52314.6 of the Education Code is repealed.
 - SEC. 13. Section 52314.7 of the Education Code is repealed.
- SEC. 14. Section 52315 of the Education Code is amended to read:
- 52315. (a) Any visually impaired, orthopedically impaired, or deaf person who is not enrolled in a regular high school or community college program may attend a regional occupational center or regional occupational program pursuant to the requirements described in Section 52314.5. Additional special instruction and support services shall be provided to these persons.
- (b) If the Superintendent determines that there would be a duplication of effort to these impaired persons if a regional occupational center or regional occupational program provided services to them, in that other programs exist that are available to them, the Superintendent may disapprove of the curriculum to provide programs to these impaired persons pursuant to Section

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1 52309 and of any state funding made available pursuant to 2 Section 41897 for these purposes.

- SEC. 15. Section 52325 of the Education Code is repealed.
- 4 SEC. 16. Section 52326 of the Education Code is repealed.
- 5 SEC. 17. Section 52334.5 is added to the Education Code, to 6 read:
 - 52334.5. (a) Within existing resources, the department shall conduct monitoring reviews of each regional occupational center or program at least once every four years for compliance with applicable state laws and regulations, to provide focused and targeted technical assistance and support, and to assist with the remediation of identified deficiencies.
 - (b) The department, in consultation with local regional occupational centers or programs, shall develop a monitoring instrument focused on all of the following:
 - (1) The regional occupational center or program administration and instructional programs.
 - (2) The alignment of curriculum with standards.
 - (3) The sequencing of courses in a pathway articulated with middle schools, campus-based secondary school courses, and postsecondary educational institutions.
 - (4) Teacher credentials.

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- (5) Counseling and guidance.
- 24 (6) Business and industry involvement.
- 25 (7) Local labor market review.
 - (8) Required actions of local governing boards.
 - (9) Other components determined by the Superintendent.
- SEC. 18. Section 52335.12 is added to the Education Code, to read:
 - 52335.12. (a) As a condition of receiving additional funding based on average daily attendance, the regional occupational center or program shall report annually to the department the academic and workforce preparation progress of the secondary
- academic and workforce preparation progress of the secondary pupils enrolled in the center or program. Indicators to measure
- 35 that progress shall include, but are not limited to, the
- 36 Standardized Testing and Reporting (STAR) Program, pursuant
- 37 to Article 4 (commencing with Section 60640) of Chapter 5 of
- 38 Part 33; the high school exit examination, pursuant to Chapter 9
- 39 (commencing with 60850) of Part 33; and other indicators of
- 40 academic and workforce preparation success, such as reduced

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dropout rates, workforce preparation, increased matriculation into postsecondary educational institutions, and other measures

as determined by the department.(b) This section shall becor

- (b) This section shall become effective only when the longitudinal data on pupils enrolled in regional occupational centers and programs can be disaggregated from the California longitudinal pupil achievement data system (CALPADs) database, established pursuant to Chapter 10 (commencing with Section 60000) of Port 22
- 9 Section 60900) of Part 33.

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- SEC. 19. Section 52335.7 of the Education Code is repealed.
- 11 SEC. 20. Section 52335.8 of the Education Code is repealed.
- 12 SEC. 21. Section 52335.9 of the Education Code is repealed.
- 13 SEC. 22. Section 52335.10 of the Education Code is repealed.